

Appl. No. 10/697,832  
Amdt. Dated 17 Aug 2005  
Reply to Office Action of 18 May 2005

**REMARKS**

Claims 1-4 and 9-21 stand rejected under 35 U.S.C. 102(b) as anticipated by Schreiner, et al. Claims 5-8 stand rejected under a provisional obviousness type double patenting ("ODP") rejection over co-pending and commonly owned Application No. 10/697,495. The Examiner is thanked for the indication that claims 5-8 are otherwise directed to allowable subject matter.

Claims 1-4 and 9-21 have been cancelled without prejudice or disclaimer.

Claim 5 has been rewritten in independent form including the limitations of base claims 1 and 4. Claims 6-8, which depend from claim 5, have not been amended.

Accordingly, the ODP is the only rejection remaining as to the claims pending in this application. A terminal disclaimer in compliance with 37 CFR 1.321(c) is enclosed to overcome the rejection. Accordingly, the ODP rejection should be withdrawn. See MPEP 1490.


Examiner Le is thanked for the courtesy extended in the August 16, 2005 phone conference with the undersigned. The double patenting rejection, the common filing date of the present application and Application No. 10/697,495, and the filing of the terminal disclaimer in connection with this application were discussed.

In view of the above, each of the claims in the application is now in condition for allowance. An early indication of allowability is earnestly solicited.

Respectfully submitted,

Date

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